

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable James A. Ardaiz, Presiding Justice; Honorable Nickolas J. Dibiaso, Associate Justice; Honorable Herbert I. Levy, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Shandra Gallagher, Assistant Deputy Clerk.

- F037863 Fresno Fab Tech, Inc. v. Lemoore Unified School District**
Cause called and argued by Myron F. Smith, Esq., counsel for appellant and by Bryan G. Martin, Esq., counsel for respondent.
Cause ordered submitted.
- F037367 Veen v. King**
Cause called and argued by Mary Louise Frampton, Esq., counsel for appellant and by Dean B. Gordon, Esq., counsel for respondent.
Cause ordered submitted.
- F039468 Farris et al., v. Fireman's Fund Ins. Co.**
F039471 Farris et al., v. Fireman's Fund Ins. Co.
Cause called and argued by Anne D. O'Neill, Esq., counsel for appellant and by James H. Wilkins, Esq., counsel for respondent.
Cause ordered submitted.
- F038121 American Vantage Co. v. Table Mountain Rancheria**
Cause called and argued by Gregory S. Cavallo, Esq., counsel for appellant and by Paula M. Yost, Esq., counsel for respondent.
Cause ordered submitted.
- Court recessed until Thursday, September 19, 2002 at 1:30 P.M.

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The court reconvened in its courtroom at 1:30 P.M. Present: Honorable James A. Ardaiz, Presiding Justice; Honorable Nickolas J. Dibiaso, Associate Justice; Honorable Herbert I. Levy, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Jill Rivera, Assistant Deputy Clerk.

F036202 People v. Porter et al.,

Cause called. David J. Macher, Esq., counsel for appellant Brian Porter, waived oral argument. Kim Malcheski, Esq., counsel for appellant Fred C. Brookins, Jr., and Robert P. Whitlock, Deputy Attorney General, counsel for respondent, waived oral argument.

Cause ordered submitted.

F034023 People v. Lor et al.,

Cause called and argued by Richard Rubin, Esq., counsel for appellant Chor Lor and by Stephen Greenberg, Esq., counsel for appellant Blong Yang. A. M. Weisman, Esq., counsel for appellant Rattanak Kan and by Janet E. Neeley, Esq., Deputy Attorney General, counsel for respondent waived oral argument.

Cause ordered submitted.

Court recessed until Friday, September 20, 2002 at 10:00 A.M.

F036963 People v. Tolbert

Appellant's petition for rehearing filed herein is denied.

F039453 People v. Cruz

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

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F039453 People v. Cruz

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F041117 In re Jessica C., a Minor

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F039825 In re James N., a Minor

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F039825 In re James N., a Minor

The eight-month term imposed on James's burglary offense is increased to three years and stayed. Accordingly, James's maximum term of confinement is reduced from 15 years 8 months to 15 years. The juvenile court is directed to correct its commitment order consistent with the above modifications and to forward a certified copy to the appropriate authorities. As modified, the judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F039528 In re the Marriage of Earl & Erline Applegate

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F038033 People v. Bermudez

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

IN THE

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IN AND FOR THE

Fifth Appellate District

F039785 People v. Morro et al

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F039785 People v. Morro et al

The judgment as to each appellant is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F038955 People v. Hernandez

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F038955 People v. Hernandez

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]